

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
SEPTEMBER 07, 2010

PUBLIC HEARING: Proposed discontinuance and vacation of Bork Road, Brinkhoff Road, Hoppman Drive, Stone Dahl Road and Wagner Road.

- I. Notice of the public hearing was properly posted at the Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN. Notice was also published in the Wisconsin State Journal on August 17, 24 and 31, 2010, and personally served on the owners of all property surrounding the roads proposed for vacation. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Mike Kindschi and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. Also present were those listed on the attached sign-in sheet (available in the Clerk's office.)
- II. Hampton called the public hearing to order at 7:00 P.M. and asked for public questions or concerns:
 - Kim Huston (address of 2621 Coffeytown Road but lives on Brinkhoff Road) asked if taxes will go up as a result, and was told they would not because she is already being taxed for the land under the road. She also asked about trash pickup, and was told she would need to take waste receptacles to Coffeytown Road once the vacation is complete. Finally she asked if the road name sign has to come down, and board consensus was to leave that up to the landowner. Stop signs and dead end signs will be removed.
 - Kay Wagner (address 1585 County Road BB, but lives on Wagner Road) asked if the landowner to the east of Wagner Road has been notified (this property is in the Town of Deerfield, and there is no driveway on Wagner road, has access from County BB). The Clerk responded that she had not notified the landowner.
- III. **MOTION** by DuPlayee/Anders to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:17 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was properly posted at the Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN. Attendance was as listed above for the public hearing.
 - B. Hampton called the meeting to order at 7:17 P.M.
 - C. Minutes of previous meeting(s):
 1. August 16, 2010: **MOTION** by DuPlayee/Kindschi to approve the minutes of the August 16, 2010 Town Board Meeting with one correction to the reference of the date of the next meeting in item VII. B. **MOTION CARRIED 4-0-1** (Hampton abstained).
 2. Correction to August 2, 2010: **MOTION** by Kindschi/Duplayee to reconsider the minutes of the August 2, 2010 Town Board Meeting. **MOTION CARRIED 5-0.**
MOTION by Kindschi/Duplayee to approve the minutes of the August 2, 2010 Town Board Minutes, correcting the vote on item VII. G. to 4-0-1. **MOTION CARRIED 5-0.**
- II. Finance Report and Approval of Bills:
 - A. **MOTION** by Anders/Fonger to approve payment of bills corresponding to checks #17900-17949 as presented. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Fonger to approve the payment of August Town Board and committee per diems as presented, and the payment of \$1,090.00 to Tom Viken for August building permits. **MOTION CARRIED 5-0.**

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- C. The Treasurer reported that the January thru August Budget vs. Actual report she will be running soon will reflect the recent reorganization of accounts to more closely match state reporting requirements.

III. Public Concerns: None.

IV. Road Right of Way Permits: None.

V. BUSINESS:

- A. Discuss/Consider adoption of a Resolution to vacate Bork Road, Brinkhoff Road, Hoppman Drive, Stone Dahl Road and Wagner Road: Hampton read the resolution. Steve Bork (address 4318 Vilas Road, but lives on Bork Road) asked if the Bork Road sign can be left up. Smith said it should be moved to the post that the dead end sign is now on to get it out of the road right-of-way. **MOTION** by DuPlayee/Fonger to adopt Resolution 2010-07 Vacating Town Roads (Bork Road, Brinkhoff Road, Hoppman Drive, Stone Dahl Road and Wagner Road) in the Town of Cottage Grove. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of Certified Survey Maps for Skaar Living Trust (zone changes approved February 2, 2010):

1. 3287 Field View Lane (Office Map 090372 dated April 26, 2010)
2. 3680 County Road N (Office Map 090374 dated August 12, 2010)
3. 3098 Hope Hollow Trail (Office Map 090375 dated May 26, 2010)

MOTION by DuPlayee/Anders to approve the three CSMs (office map numbers and dates as noted above) as presented. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of the use of the Town Hall basement for Girl Scout Cookie distribution during the week of November 8-13, 2010: **MOTION** by Hampton/Kindschi to allow the Girl Scouts to use the Town Hall basement for cookie distribution during the week of November 8 – 13, 2010. **MOTION CARRIED 5-0.** Smith noted that the Fire Department will need to get their old tires out before then.

- D. Discuss/Consider approval of Eagle Scout project to build benches for soccer fields at Town Hall and Bass Park and/or build replacement posting boxes for Town notices: Eagle Scout candidate Harry Allen presented his plans for team benches, and stated that he is also willing to build posting boxes for the Town. Smith said he prefers the benches to be permanently mounted with lime rock around the base. **MOTION** by DuPlayee/Kindschi to accept the team benches at the Town Hall and Bass Park soccer fields (2 benches at each park, permanently mounted and surrounded by lime rock provided by the Town), and to fund the materials for two posting boxes. **MOTION CARRIED 5-0.**

- E. Presentation by architect for Cleary Building Corporation on expansion plans for Dairyland Beef building at 2532 Peiper Road: Dick Acker of Cleary Building Corp. presented plans for two additions to the slaughter house. To the south he proposed to enclose an area to house the semi trailers for the offal in an effort to control odor and flies. It would be vented to the roof at 35', and have floor drains. The plans also showed a cattle holding area to the south of the existing building. To the south the plans showed a cooler for meat products and an employee break room. Acker stated the addition would create 5 – 8 new jobs, and provide for better air quality. He stated that the additions are in compliance with Dane County setback and lot coverage requirements. Construction would start yet this year.

Hampton was concerned that the odor would still be substantial, and suggested that power ventilation and/or refrigeration of the offal area would be better.

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DuPlayee stated that he is experienced in food safety regulation, and felt the plans are a logical step toward resolving the odor problem, although upkeep will be needed.

Maureen Casey, who owns Construction Fabrics and Materials across Peiper Road from the slaughter house, said the slaughter house is a nuisance. She has frequently complained about odor and flies from the operation. She said that more capacity will make matters worse, and that a slaughter house should be out in the middle of nowhere.

Attorney Megan Phillips, who represents the new owners of the slaughter house, said she understood that the Board is not waiving any legal rights by informally approving the expansion plans. She offered to draft a formal letter to accompany the minutes of tonight's meeting, stating the plans to mitigate the odor problems.

F. Plan Commission Recommendations

1. Royal Oak Engineering/Eric Sandsnes applicant, Schlueter Living Trust/Mel Schlueter, owner – Parcel 0711-192-8000-6, 3897 Vilas Hope Road:
 - a) Zone Change from A-1EX to RH-1 to create a single family residence site using RDU from old farm house, which will be torn down.
 - b) Zone Change from A-1EX to R-1 to increase lot size for parcel 0711-192-8270-0 at 3893 Vilas Hope Road.
 - c) Zone Change from A-1EX to A-4 for zoning compliance.

The new owner was present and stated his agreement to blacktop the driveway for the new home site (to mitigate washing). **MOTION** by DuPlayee/Anders to accept the Plan Commission recommendations for the three zone changes, which were:

- To approve the rezone of a 2.0 acre portion of Lot 1 from A-1EX to RH-1 as a replacement home site. The old farm house must be demolished within 3 months of occupancy of a new home. This rezone is only for lending assurances, but not creating a new lot.
- To approve the rezone of areas surrounding parcel 0711-192-8270-0 at 3893 Vilas Hope Road as shown on the map from A-1EX to R1, increasing the lot size to 2.0 acres and satisfying current occupancy lines. It was noted that this is consistent with maximum residential lot size of 2 acres in the Agricultural district. Current owner is the son of the family farm owner.
- To approve the rezone of Lot 3, 18.073 acres, from A-1EX to A-4 for zoning compliance. The easement to the north will be 33' wide, and property owner must obtain a culvert permit from the town, and install the culvert upon use of this easement.

MOTION CARRIED 5-0.

- G. Discuss/Consider approval of a Resolution to Authorize a Referendum on the Levying of a Sales Tax to Fund Commuter Rail: County Board Supervisor David Wiganowski said that 21 Dane County municipalities have voted to put the referendum on their ballots so far. **MOTION** by Kinsdchi/Anders to adopt Resolution 2010-07 to Authorize a Referendum on the Levying of a Sales Tax to fund Commuter Rail. **MOTION CARRIED 5-0.** The referendum will be on the November 2, 2010 ballot.
- H. Discuss/Consider approval of RFP for Insurance Coverage for the Town of Cottage Grove: **MOTION** by Hampton/Anders to approve the RFP as presented, and to send it to all insurance companies who have previously expressed interest, along with any advertised in the WTA newsletter. Responses will be due by October 15, 2010. **MOTION CARRIED 5-0.**

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- I. Update on repairs to monitoring well #3 at the former Natvig Landfill site: Smith reported that he has been in contact with Tina Seybold from Strand and Associates, but is waiting for the mosquitoes to subside before completing the work.
- J. Discuss/Consider approval of attendees for Wisconsin Towns Association Convention on October 3-5, 2010: **MOTION** by Hampton/Anders to send Kindschi and DuPlayee to the convention. **MOTION CARRIED 5-0.**
- K. Discuss/Consider changing date of first Town Board meeting in October: **MOTION** by Hampton/DuPlayee to change the date of the first meeting in October to Wednesday, October 7th at 7:00 P.M. **MOTION CARRIED 5-0.**

VI. CLERKS REPORT

- A. Dane County Ordinances: **MOTION** by DuPlayee/Hampton to approve OA#10, 2010 Regarding Changes to the Limited Commercial Zoning District and Establishing Conditional Use Permit Application Procedures as presented. **MOTION CARRIED 5-0.**

VII. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that:
 - 1. Humane Officer training is available.
 - 2. There is a hearing on the Olson case scheduled for 10:00 a.m. on September 10th.
 - 3. Alliant has proposed a rate increase.
 - 4. The State has approved the license for Hydrite Chemical's hazardous waste and storage facility in the Village.
 - 5. The 2009 CARPC annual report and the 2011-15 Transportation Program for the Madison Metropolitan Area and Dane County are available at the Town Hall.

VIII. COMMITTEE REPORTS AND COMMUNICATIONS (AS APPLICABLE):

- A. Village Park, Recreation and Forestry Committee: The committee has indicated their acceptance of the same budget contribution from the Town for 2011 as the 2010 amount.
- B. Joint Town/Village Fire Department Committee: New committee officers will be elected at the next meeting. The Fire Chief has proposed a 2011 budget within 0.5% of the 2010 budget. One of the Town owned trucks needs to have the tires replaced (they are over 8 years old).
- C. Law Enforcement Committee: Sergeant Kinney has tendered his resignation.
- D. Parks Committee: The committee proposed the same budget amount for 2011 as the 2010 amount, and suggested that remaining 2010 funds be used to fertilize and overseed some of the playing fields.
- E. Flynn Hall Committee: The 110th birthday celebration on August 29th raised over \$20,000 and donations are still coming in. The committee set the 2011 budget at \$6,000 (same as 2010). The restroom vent and light switch still need repairs.
- F. Emergency Government: The 2011 budget will be the same as 2010. The committee is working on plans to present their emergency plan.

- IX. Adjournment: **MOTION** by DuPlayee/Kindschi to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:04 P.M.

Kim Banigan, Clerk